

Internal note of LINK SEPA meeting held 25 July 2016 in Stirling.

LINK: Sam Gardner (Trustee, WWF) chairing, Lloyd Austin (GG, RSPB), Matthew Crighton (EG, FoES), Jo Pike (SWT), Richard Luxmoore, (MG, NTS), Tom Leatherland (SWLG), Dapnne Vlastari, Alice Walsh.

SEPA: Bob Downes, Terry A'Hearn, Paula Charleson.

## **1. SEPA and LINK's priorities and structures.**

Sam explained LINK strategy and group structure, and emphasis on aligning work to others' agendas. SEPA praised our strategy's brevity and clarity.

Bob was 8 years on the board. For 6 months has been meeting and listening inside and outside SEPA, and will carry on listening. He's trying to influence businesses by helping them; harsh penalties for the decreasing number who don't comply; more efficient to talk and persuade of business benefits. Sectoral approach – NFUS, SWA, SLE, to get good practice, and promotion of it. His background is technical, feels it important to use tech for data and monitoring. Example of sharing data from Scottish Water equipment – needs trust between the regulator and business to do this. Partnerships, making them real, referring to what was agreed, what has been delivered, how you assess progress. Brexit worrying, but won't distract from SEPA's main job, a small team is working with SGov to ensure that whatever succeeds is better or at least no worse than status quo in terms of regs.

Terry headed Northern Ireland Agency for a while, he started as an economist. In Australia worked in Victoria EPA, an industrial legacy of polluted rivers and air, the economy unsustainable by factor of 4 (planets), interest in smarter use of environment, sustainable more circular economy, from that period. Considers incremental change not enough, need transformational change, hence partnerships and relationship building, feels lots of potential in Scotland, primed to move to next level beyond mere compliance (waste a problem area there).

New regulatory strategy to be published in next few weeks, creating sectoral teams led by one senior person to keep oversight. Aquaculture one such area. Will write to let us know when leaders are appointed. They are to work with the businesses in their sector and all (including NGOs) who have an interest. SEPA won't be creating a new sector for every business type, sectors will be managed in terms of their objectives. Full compliance with regs is non-negotiable. Even fully compliant business cause environmental damage. Wants those who damage least to win greater market share though won't be picking winners, more creating conditions for success, helping businesses connect, believes in collaboration and cooperation for results. SEPA will have less than 5% of the good ideas itself.

LINK agreed with approach and keen to help. Lloyd: on the compliance bar – if not achieving desired results may need to be raised, and where there are sectors lobbying to lower the bar will SEPA resist? Terry said no room for slippage, is calling in CEOs to get them up to par, does not accept any slippage. Standards are never high enough, they give SEPA access, and to work with the business to raise their game. Lloyd: Some sectors have no CEOs, like farmers and crofters. More difficult to crack because of tradition of rural industry being unregulated. Often sustainable ones are not supported properly. Challenge comes from bigger farmers who have the ear of Gov. Bob: Crisis in farming where industry can't get the price for the product. Bob finds attitudes are changing, more interest in the quality of the land and the flow through it, addition of economics to SEPA's purpose is helpful, emphasis on getting better value for the sector. Lloyd noted last PR from the NFUS calling for less regs. Also potential of the Good Food Nation Bill, to link sustainable production to higher value for

product – needs further pushing. Terry noted that supply chain requirements, eg M&S Plan A, make it easier for good business, harder for stubborn ones.

**Action: Relevant Groups make contact with sectoral leads, when known.**

## **2. Climate – targets, accounting, RPP3 development, energy strategy, Bill.**

Lots coming down the line in next year or so. LINK sought sense of impact of this on SEPA. 2016-2032 transformative, significant, promise of new bill which will change accounting, how will they engage. Bill gives opportunity to do more than reset the anomalies in current Act, can go some way to incentivise emissions reduction.

Terry agreed nothing bigger than cc. Now working on 5 year strategic plan, coming out with draft strategic outcomes, Scotland becoming an innovator, building carbon reduction into all aspects of operations, using connections to integrate into discussions with business. On specifics, will be hooked into bill in the normal way, and energy strategy, on RPP3 through RAFF delivery board, subgroup on climate change, chaired by B Campbell, very good, looking at how to deliver on peat, forestry, waste, circular economy, SGov really pushing this, scenario modelling.

What do we want them to do? Sam: we'd like to see SEPA confidently demonstrating some intelligent aspirations of what this bill can do, using its expertise on the barriers to action in the current bill, how we legislate to take it a step further. We didn't anticipate a 2<sup>nd</sup> bill, this opportunity requires SEPA to confidently speak up and be assertive, based on its knowledge built up over time, citing case studies and offering expertise, that will give it a means to be more effective. Carbon dioxide is not registered as a pollutant, for example. How SEPA gets a locus, get its expertise into play. SGov needs all means at its disposal to get it right. Lloyd: Land Use, from SEPA's point of view, catchment mgt, peatland restoration, woodland in the right places can improve environmental qualities. The last cc bill had Land Use element that was not actioned. To do it this time in a way that drives change on the ground would be very positive.

Bob: whatever we lose coming out of the EU, relationships with partners in Europe are vital here, beyond legislation or regulation. **For noting by Groups and members with an interest.**

## **3. Flooding**

Tom praised SEPA for the recent agreement with NFUS on catchment management approaches to flooding, which LINK supports. He noted the pressures for dredging coming from some and urged SEPA to stand firm. Terry: was agnostic, some cases (few) dredging can help, in most cases it makes the situation worse. Glad of our support, it helps. Bob: the agreement came about because SEPA persisted with discussions, ongoing dialogue, explaining the rationale, helping to solve problems for farmers. Some believe they are inhibited by regs, mistaken assumptions to be clarified.

**Land Group to note**

## **4. Circular Economy bill.**

Matthew explained that LINK's economic group is fairly new, good to hear SEPA talking in similar terms, need to open debate on measuring success beyond GDP, also the investment gap to get the transition we need. In the context CE became interesting and now offer of a bill. Did they know timetable, content? We have things to say, EU vote impacts, any light on this? Roseanna Cunningham (CS) is keen, early days on any detail. SEPA is contributing, have powers to get in to make things happen, working with businesses to practically do it, will also contribute to policy

debate, see others being better placed (ZWS). Gap analysis? No, will work with others to investigate further. Who is driving it? SEPA is in the gang, with ZWS. Matthew interested in 3 planets case coming from SEPA. Leverage is making business more successful. Agreed this is area for further discussion. LINK keen to learn more through this process, problem with knowing how circular we are, the degree of it, lots of issues around data at economy level. LINK keen on it being about reducing overall impact. Bob remarked that business doesn't understand concepts of CE, ecosystem services, they are interested in improving their margins. Worry them about competition, preparedness, hope this will feed into lots of related areas, like education.

**Action: Economics Group.**

## 5. Aquaculture

Richard was interested it was cited as a sector, with SGov planning on doubling the size of the industry. Bob said also wild fish industry relates. 3 major issues for us are enrichment of seabed, directly related to volume; the chemical used for treatments, harmful to seabed life, their use more than doubled; and sea lice impact on wild fish, effectively making sea trout extinct, entirely attributable to fishfarms. Wonder how SEPA will resist the pressure to double production and improve condition of impacts already there. Terry: spent a lot of time with industry players, on a path of conflict, needs to change, not having right discussions about what a sustainable industry looks like, want a sector plan that the marine environment can cope with, have to have a chilled debate. Has been building understanding with senior players in the industry, get parties round the table, general approach. If we don't do it right, boom and bust, or reduce bad impacts and grow sustainably. Bob agreed they had a battle on their hands here. Need to break into that circle, not primarily a SEPA responsibility, trying to draw things together so that sustainability underpins it. Will be working with one West coast estate removing a fishfarm from a site, a chance to collect evidence. Terry: being completely clear with them, non-compliance is not an option. Industry is entrepreneurial and wants its own way, he is being straight with them.

Richard noted that regs are very formulaic, in terms of input restriction rather than impact on environment. Terry asked if we have relations with the industry, which we have to a degree. Agreed the real issue is impact, not inputs. Lloyd noted the similarities to the previous discussion on agriculture, that we need to push the debate towards high quality product, as opposed to pile high sell cheap. Less product with bigger margins, though industry players are always pressing for increased production.

What changes do MPAs bring? Are SEPA dealing with licensing of existing and new permissions differently? Yes, reason for designation has a bearing. It will have more weight within an MPA even if the same features exist outwith the designated area. Lloyd: purpose of Marine Planning is to make these kinds of strategic decisions, a Marine Scotland role. Marine Group would welcome further discussion. Agreed. **Action: Marine Group**

## 6. Biodiversity Route Map

Jo noted this relates to much of the previous discussions, helpful to know where the Route Map sits among SEPA's priorities, if it can do more to accelerate progress with the RM, and what its view is of the major challenges for us all in relation, how do we collectively work together. Terry: if we can take a more strategic approach, a broader sector approach, identify the policies not primarily responsible for, take interactivity to a higher level, in general terms.

SEPA had published biodiversity agreement, structured round its reg role, how to deliver multiple benefits for peat, forestry, etc. How should eNGOs best work with SEPA? Lots happening but need to

get faster. Terry: sector plans, regs for 10 to 30 sectors, our engagement with catchment mgt and Flood Risk mgt, similar but institutionally different. How SEPA drives improvements in water quality and also delivers biodiversity improvements. Land Use Strategy model, good, but delivery has been the challenge for 1<sup>st</sup> and 2<sup>nd</sup> strategy. Paula: Think the door is open for SGov, can put us in touch with leads in SEPA. Followed with discussion of the Biodiversity governance structure. RAFE delivery board undecided how to involve NGOs still. SEPA on RAFE delivery board. Terry: SGov money will be short, finding cost effective examples is good strategy, might be some we could work on collectively to sell to gov. Lloyd cited projects under the Water Environment Fund, and greater use and join up between funds would help, in particular with Agriculture schemes.

Bob appreciative of this meeting and opp to meet our sector, would like another in year.

Cambridge Sustainability Leadership programme deadline approaching soon. Paula will email details. Funding available for an NGO place.

Alice Walsh 25/7/16